From:
 MCALEENAN, KEVIN K

 To:
 Wolf, Chad

Subject: FW: (No Subject)

Date: Saturday, June 16, 2018 9:48:49 PM

From: Miller, Stephen (b)(6)&(b)(7)(C)

Sent: Saturday, June 16, 2018 9:47:39 PM

To: MCALEENAN, KEVIN K

Cc: Wolf, Chad

Subject: Re: (No Subject)

Thanks. No need to talk to me tonight. Chad said he will follow up with you.

Sent from my iPhone

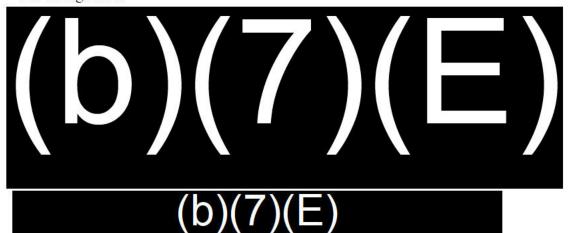
On Jun 16, 2018, at 9:46 PM, MCALEENAN, KEVIN K

(b) (6); (b) (7)(C)

wrote:

(b)(7)(E)

For background:



From: Miller, Stephen (b)(6)&(b)(7)(C)
Sent: Saturday, June 16, 2018 9:34:21 PM

To: MCALEENAN, KEVIN K

Cc: Wolf, Chad Subject:

Please call me re: the below.

From: (b) (6); (b) (7)(C)

Sent: Saturday, June 16, 2018 9:29 PM

Subject: WaPo: Family separations could double, says Border Patrol chief in Rio Grande

(b)(7)(E)

Family separations could double, says Border Patrol chief in Rio Grande Valley Washington Post by Michael E. Miller June 16 at 8:52 PM

>>https://www.washingtonpost.com/local/family-separations-could-double-says-border-patrol-chief-in-rio-grande-valley/2018/06/16/13cdc042-70ee-11e8-bf86-a2351b5ece99_story.html?utm_term=.c4f3f5e55ae3<<

EDINBURG, TEX. — As outrage mounts over the Trump administration's separation of hundreds of migrant children from their parents, the person overseeing that zero-tolerance policy on the busiest stretch of the Southwest border said the number of families affected could double.

Manuel Padilla Jr., Border Patrol chief for the Rio Grande Valley, told The Washington Post on Thursday that his agents had separated 568 parents from children as young as 5 since the zero-tolerance policy was announced on April 6.

But that figure represented only half the number of parents who could have been prosecuted for entering the country illegally, leaving Border Patrol plenty of room to ramp up family separations.

"We are trying to build to 100 percent prosecution of everybody that is eligible," he said. "We are not there yet, but that is our intent."

Padilla's comments came as angry legislators prepared to visit the Rio Grande Valley Sunday and tour the chief's facilities.

Nationwide, nearly 2,000 minors were taken from their parents from April 19 through May 31, according to figures from the Department of Homeland Security.

As reporters pressed the White House for a justification of the controversial policy Thursday, Padilla sat in his office 1,700 miles away, calmly providing the rationale.

Dressed in green fatigues, the 32-year member of the Border Patrol was unapologetic. He said years of lax enforcement had only encouraged more violators.

"This zero-tolerance initiative changes that completely," he said. "We cannot just have this surge of immigration without any consequences."

The number of parents and minor children illegally crossing remained steady overall in May but rose 10 percent in the Rio Grande Valley. But Padilla said the policy needs more time to take effect.

Migrant advocates say, however, that the factors pushing many families to the United States, such as gang violence in Central America, are not going away.

"It doesn't matter how cruel we become," said Wendy Young, president of Kids In Need of Defense (KIND), a nonprofit group that provides immigrant children with pro bono legal support. Families "are going to take that risk," she said.

A 'last stand' at the border

Padilla is an unlikely champion of family separation. He was born and raised on the border in Nogales, Ariz., but his parents were born on the other side, in Mexico, where he often visited his grandparents when he was a child.

"The border back then was three strands of barbed wire," he recalled.

Padilla, 52, first encountered the Border Patrol as a teen working on ranches in Nogales and seeing border agents passing on patrol. He joined the Army straight out of high school with an eye on the Border Patrol, which he joined two years later.

In 2012, Padilla was put in charge of the Tucson office. At the time, that sector — which includes his home town — was the busiest on the border. Under his watch, drug cartel activity and illegal immigration along the border in Arizona declined sharply.

But activists accused him of being too aggressive. In early 2014, the American Civil Liberties Union filed a complaint alleging that his agents had performed unconstitutional searches and used excessive force.

Around that time, illegal border crossings shifted east as thousands of unaccompanied minors from Central America began crossing the Rio Grande each month.

Padilla was put in charge of the Rio Grande Valley sector in February 2016. Unlike in Arizona, there wasn't a wall along the border. Padilla said he and his agents grew frustrated with what he called the "catch and release" of migrants who crossed the river illegally with their children.

When President Trump took office, illegal immigration initially plummeted, especially in the Rio Grande Valley. In March 2017, Padilla's agents apprehended only 646 parents and minor children crossing the border. But the number began to creep back up. And by April of this year, when the Trump administration announced zero tolerance, the tally was over 6,000.

Padilla said the new policy reinvigorated the 3,000 agents under his command, who he said were "very motivated to be able to do their jobs again."

He shrugged off criticism, including comparisons of Border Patrol facilities to concentration camps.

"Really, our mission is border security," said Padilla, whose unit is hiring more officers. "And I think now we have a policy that supports securing our borders."

In his Edinburg office, decorated with maps of the border and a mounted bowie knife, Padilla showed a reporter videos of fatal crashes in which smugglers tried to avoid authorities. In another video, taken just a few days before, a woman wept as she told Border Patrol agents that a smuggler had thrown her daughter off a raft as he demanded more money.

"We've got agents who are rescuing children right at the river, sometimes in the river," he said. "We've got children who show up in extremely bad shape. We've got children of a tender age who've been assaulted by their smugglers."

As painful as separating families might be, the aim was to stop those families from coming, thereby sparing them from smugglers, he said.

Padilla said his sector was responsible for 40 percent of all border apprehensions, so he knew the attention of the president — and much of the country — was now on his valley.

"This is what I call the last stand," he said.

Prosecutions rising

Ten miles away, in downtown McAllen, Jhonny Guevara watched his 4-year-old son play on the floor of a Catholic Charities respite center for migrants newly released from ICE custody. A few days earlier, the 30-year-old from Honduras had crossed the Rio Grande with his son and several other families. They had turned themselves in to Border Patrol and were taken to a short-term holding facility, commonly known as a "hielera," or ice box, for its low temperature.

He shared the cell with three other fathers with young children, Guevara recalled. But the Border Patrol separated only one family. As the boy cried, his father was taken to court to be charged. Guevara was given an ankle monitor and an immigration court date, then released with his son.

Erick Jose, recuperating at the same respite center, said Border Patrol agents told him his daughter would be taken from him. The Guatemalan was so afraid that he slept with his arms and legs around the 6-year-old.

"Era una amenaza," Jose, 25, said in Spanish. "It was a threat."

Padilla has come under scrutiny in the aftermath of several stories about families being separated inside his facilities. In the past week, a woman claimed that her child was taken as she was breast-feeding. Federal public defenders said two women were told their children were being taken for a bath, only to be separated. And The Post reported that a Honduran man committed suicide after being separated from his 3-year-old son.

Padilla declined to comment on the suicide and said the breast-feeding story was "not true." But he did shed light on the family separation policy.

Within days of Attorney General Jeff Sessions's April 6 memo announcing the zero-tolerance policy for illegal entry, Padilla said his agents began experiencing "logistical issues" with separating very young children from their parents.

During a conference call with other Border Patrol offices, he said, the agency decided that children younger than 5 would not be separated from their parents.

Asked about reports that children as young as 18 months have been taken away, Padilla said there were exceptions, such as when a parent had an "egregious criminal history."

Padilla said some parents were being spared simply because the Border Patrol, ICE and the federal court system do not have the capacity to prosecute everyone eligible — at least not yet.

His office is charging more than 1,000 adults a week — including those traveling without children — with illegally entering the United States, a misdemeanor. That is up fivefold from before zero tolerance, he said, but still represents only 40 percent of border crossers eligible for prosecution.

Although some family separations occur at hieleras, most take place inside Ursula, a processing center the size of a football field in McAllen, Padilla said. It is known as the "dog kennel" for its rooms made of chain-link fencing. Padilla said parents are given "tear cards," or sheets, explaining that they are being criminally charged.

"While this process is occurring, your child or children will be transferred to the U.S. Department of Health and Human Services (HHS), Office of Refugee Resettlement (ORR), where your child will be held in a temporary child shelter or hosted by a foster family," the sheets say.

Under "How do I locate my child(ren)?" the sheets list an "ORR parent hotline."

Padilla said some parents return from jail in time to be reunited with their children at Ursula. But he acknowledged that children spend just 30 hours there on average, making reunifications unlikely.

Migrant advocates say many parents spend days, if not weeks, trying to learn where their children have been sent. Even then, reunifications can take months, during which children can be placed with strangers and parents can be deported.

Padilla said he was not aware of any parents being deported without their children. He also dismissed the idea that separation might not deter desperate families.

"Poverty is the main driver," not gang violence, he said, adding that since October, his

agents had found more than 600 cases of what he called "fraud," including adults pretending to be parents of accompanying children or adults pretending to be minors.

But Young, the migrant advocate, said zero tolerance was not the solution.

"I don't think it is accomplishing anything other than terrorizing children and their parents," she said. "This is a legacy that is going to haunt us for a very long time."

 From:
 BOYD, VALERIE S

 To:
 MCALEENAN, KEVIN K

 Cc:
 FLANAGAN, PATRICK S

Subject: FW: AP: Detaining immigrant kids is now a billion-dollar industry

Date: Friday, July 13, 2018 8:08:22 AM

Sir, FYI.

From: (b) (6); (b) (7)(C)

Sent: Friday, July 13, 2018 8:06:31 AM

To: BOYD, VALERIE S

Cc: MEEHAN, ANDREW C; (b) (6); (b) (7)(C)

Subject: Re: AP: Detaining immigrant kids is now a billion-dollar industry

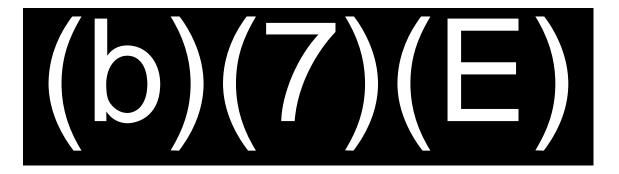
I'm working on getting this updated already.

Sent from my iPhone

On Jul 13, 2018, at 8:02 AM, BOYD, VALERIE S

(b) (6); (b) (7)(C)

wrote



From: (b) (6); (b) (7)(C)

Sent: Friday, July 13, 2018 7:52:12 AM

Subject: AP: Detaining immigrant kids is now a billion-dollar industry

Detaining immigrant kids is now a billion-dollar industry Associated Press By MARTHA MENDOZA AND LARRY FENN July 13, 2018

https://apnews.com/289b015df6e94ac6b2a35c28b11365b5

SAN ANTONIO (AP) — Detaining immigrant children has morphed into a surging industry in the U.S. that now reaps \$1 billion annually — a tenfold increase over the past decade, an Associated Press analysis finds.

Health and Human Services grants for shelters, foster care and other child welfare services for detained unaccompanied and separated children soared from \$74.5 million in 2007 to \$958 million in 2017. The agency is also reviewing a new round of proposals amid a growing effort by the White House to keep immigrant children in government custody.

Currently, more than 11,800 children, from a few months old to 17, are housed in nearly 90 facilities in 15 states — Arizona, California, Connecticut, Florida, Illinois, Kansas, Maryland, Michigan, New Jersey, New York, Oregon, Pennsylvania, Texas, Virginia and Washington.

They are being held while their parents await immigration proceedings or, if the children arrived unaccompanied, are reviewed for possible asylum themselves.

In May, the agency issued requests for bids for five projects that could total more than \$500 million for beds, foster and therapeutic care, and "secure care," which means employing guards. More contracts are expected to come up for bids in October.

HHS spokesman Kenneth Wolfe said the agency will award bids "based on the number of beds needed to provide appropriate care for minors in the program."

The agency's current facilities include locations for what the Trump administration calls "tender age" children, typically under 5. Three shelters in Texas have been designated for toddlers and infants. Others — including in tents in Tornillo, Texas, and a tent-and-building temporary shelter in Homestead, Florida — are housing older teens.

Over the past decade, by far the largest recipients of taxpayer money have been Southwest Key and Baptist Child & Family Services, AP's analysis shows. From 2008 to date, Southwest Key has received \$1.39 billion in grant funding to operate shelters; Baptist Child & Family Services has received \$942 million.

A Texas-based organization called International Educational Services also was a big recipient, landing more than \$72 million in the last fiscal year before folding amid a series of complaints about the conditions in its shelters.

The recipients of the money run the gamut from nonprofits, religious organizations and forprofit entities. The organizations originally concentrated on housing and detaining at-risk youth, but shifted their focus to immigrants when tens of thousands of Central American children started arriving at the U.S.-Mexico border in recent years.

They are essentially government contractors for the Health and Human Services
Department — the federal agency that administers the program keeping immigrant
children in custody. Organizations like Southwest Key insist that the children are well cared
for and that the vast sums of money they receive are necessary to house, transport,
educate and provide medical care for thousands of children while complying with
government regulations and court orders.

The recent uproar surrounding separated families at the border has placed the locations at the center of the controversy. A former Wal-Mart in Texas is now a Southwest Key facility that's believed to be the biggest child immigrant facility in the country, and First Lady Melania Trump visited another Southwest Key location in Phoenix.

Advocates on both sides of the aisle criticize the growing number of kids housed in government shelters, but they have different reasons — and they blame each other.

"You can't put a child in a prison. You cannot. It's immoral," said Sen. Kirsten Gillibrand, a New York Democrat who has been visiting shelters.

Gillibrand said the shelters will continue to expand because no system is in place to reunite families separated at the border. "These are real concerns that the administration has not thought through at all," she said.

But President Donald Trump says cracking down on immigration ultimately can lead to spending less money and having fewer immigrants in government custody.

"Illegal immigration costs our country hundreds of billions of dollars," he said at a recent rally. "So imagine if we could spend that money to help bring opportunity to our inner cities and our rural communities and our roads and our highways and our schools."

In April, Attorney General Jeff Sessions announced a "zero tolerance policy" directing authorities to arrest, jail and prosecute anyone illegally crossing the border, including people seeking asylum and without previous offenses. As a result, more than 2,300 children were turned over to HHS.

In a recently released report, the State Department decried the general principle of holding children in shelters, saying it makes them inherently vulnerable.

"Removal of a child from the family should only be considered as a temporary, last resort," the report said. "Studies have found that both private and government-run residential institutions for children, or places such as orphanages and psychiatric wards that do not offer a family-based setting, cannot replicate the emotional companionship and attention found in family environments that are prerequisites to healthy cognitive development."

Some in the Trump administration describe the new policy as a "deterrent" to future would-be immigrants and asylum-seekers fleeing violence and abject poverty in Central America, Mexico and beyond.

But Steven Wagner, acting assistant secretary for the Administration for Children and Families — an HHS division — said the policy has exposed broader issues over how the government can manage such a vast system.

"It was never intended to be a foster care system with more than 10,000 children in custody at an immediate cost to the federal taxpayer of over \$1 billion dollars per year," Wagner said in a statement.

The longer a child is in government custody, the potential for emotional and physical damage grows, said Dr. Colleen Kraft, president of the American Academy of Pediatrics.

"The foundational relationship between a parent and child is what sets the stage for that

child's brain development, for their learning, for their child health, for their adult health," Kraft said.

"And you could have the nicest facility with the nicest equipment and toys and games, but if you don't have that parent, if you don't have that caring adult that can buffer the stress that these kids feel, then you're taking away the basic science of what we know helps pediatrics."

A judge in California has ordered authorities to reunite separated families within 30 days — and the government has completed more than 50 of the reunions of children under 5 by Thursday.

From: MCALEENAN, KEVIN K

To: Grady, Claire

Subject: FW: Answers to AS2 Questions for 4:30 Call Date: Tuesday, June 19, 2018 3:41:30 PM

From: BOYD, VALERIE S

Sent: Tuesday, June 19, 2018 3:38 PM

To: VITIELLO, RONALD D (USBP) (b) (6); (b) (7)(C)

Cc: MCALEENAN, KEVIN K (b) (6); (b) (7)(C) ; FLANAGAN, PATRICK S

(b) (6); (b) (7)(C) ; (b) (6); (b) (7)(C)

(b) (6); (b) (7)(C)

Subject: Answers to AS2 Questions for 4:30 Call

(b)(7)(E)

Update on Zero Tolerance Policy Implementation (DOJ, DHS)

(b) (5)

and in what

border sectors)? If we are not at 100%, what needs to be done to raise this percentage to 100%?

- Adults referred for prosecution by section (June 3-9):
- Big Bend: 67 (82%)
- Del Rio: 229 (84%)
- El Centro: 67 (13%)
- El Paso: 299 (60%)
- Laredo: 349 (64%)
- RGV: 1,168 (55%)
- San Diego: 164 (24%)
- Tucson: 541 (60%)
- Yuma: 114 (<u>47%)</u>
- Total: 2,998 (b) (5) The primary constraint on reaching 100 percent referrals for single adults is court capacity. Judges limit Tucson Sector to 75 referrals per day; Yuma Sector to 30 referrals per day; and El Centro and San Diego to a shared 55 referrals per day (San Diego 35, El Centro 20).
- In addition to caseload caps, some courts have instituted certain cumbersome legal requirements, including TB screenings for all defendants despite medical center capacity restrains; copies of surveillance videos, a DVD of the surveillance recording, reports from camera and sensor operators; and presentation of all evidence within 24 hours

(b) (5)

and

in what border sectors)? If we are not at 100%, what needs to be done to raise this percentage to 100%?

■ June 3 – 11: FMUA separated for prosecution: 348 (26%).

- Current FMUAs: 990
- Adults referred for prosecution (any charge): 311.
- June 3 9: total adult apprehensions: 5,871.
 - 2,998 total adults referred on any charge (51% of total adult apprehensions);
- May 27 June 2: total adult apprehensions: 6,373.
 - 2,848 referred (45%).
- FY18TD June 11: total adult apprehensions: 197,592.
 - 61,273 referred (b) (5)
- FY17TD June 11: total adult apprehensions: 164,979.
 - 32,977 referred (20%).
- In addition to court capacity and legal requirements, the greatest constraint on referring adults in family units is HHS shelter capacity. On June 1, the pace of HHS placements decreased dramatically because low capacity created challenges in matching UACs to appropriate bed space. To avoid litigation risk and humanitarian concerns, CBP was forced to issue guidance to the field on June 2 "to consider HHS available space for tender age children less than 12 years of age when considering prosecution of amenable, adult family members." This guidance remains in effect. If HHS were to add 250 beds per day to its capacity, CBP could increase its referral rate dramatically.
- ➤ What percentage of cases (per district) referred from CBP is DOJ prosecuting?
 - June 3 9 reporting period, Total Adults with Accepted/Other Charge from DOJ: 2,651/2,998 (88%).
- ➤ What impediments remain to zero tolerance, including ensuring that there are not categorical exemptions from prosecution?
 - This call is another opportunity to (1) press DOJ to address the caseload caps and legal proof requirements and (2) press HHS to sign contracts for additional bed space immediately.
- Update on Metering [Queue Management] (DHS)



- Four ports of entry have lines at this time.
- Brownsville, Texas has 15 people waiting in line. Estimated wait is one day.
- Nogales, Arizona, has 15 people waiting in line. Estimated wait is one day.
- Laredo, Texas has 7 people waiting in line. Estimated wait is one day.
- Calexico West, California has 26 people waiting in shelters in Mexicali.
 Estimated wait is 1-2 days.

(b)(7)(E)

From: MCALEENAN, KEVIN K
To: Miller, Stephen EOP/WHO
Subject: FW: UACs at 72hrs

Date: Tuesday, June 19, 2018 4:38:18 PM

From: (b) (6); (b) (7)(C)

Sent: Tuesday, June 19, 2018 12:49:48 PM

To: MCALEENAN, KEVIN K Subject: Re: UACs at 72hrs

Haven't had a chance to respond but wanted to acknowledge receipt

On: 19 June 2018 08:19, "MCALEENAN, KEVIN K"

(b) (6); (b) (7)(C)

rote:

Please let me know your thoughts.

From: (b) (6); (b) (7)(C)

Sent: Tuesday, June 19, 2018 8:16 AM

To: MCALEENAN, KEVIN K (b) (6); (b) (7)(C)

(b) (6); (b) (7)(C)

(b) (6); (b) (7)(C)

Cc: FLANAGAN, PATRICK S (b) (6); (b) (7)(C) BOYD, VALERIE S

(b) (6); (b) (7)(C) Subject: RE: UACs at 72hrs

Sir,

(b)(7)(E) (b)(7)(E) (b)(7)(E)

(b)(7)(E)

Our liaison POCs from HHS have been very helpful in providing us with information, however they are not in a position to drive or expedite new beds being brought on in a faster manner.

Thank you,

(b) (6); (b) (7)(C)

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From: MCALEENAN, KEVIN K
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Sent: Tuesday, June 19, 2018 7:33 AM

To: (b) (6); (b) (7)(C)

(b) (6); (b) (7)(C)

(b) (6); (b) (7)(C)

Cc: FLANAGAN, PATRICK S (b) (6); (b) (7)(C); BOYD, VALERIE S

(b) (6); (b) (7)(C)

Subject: UACs at 72hrs

Team,

(b)(7)(E)

KM

Office of Refugee Resettlement: Bed Capacity Development Plan

Source	Total Beds	Status/Challenges	Potential Site (based on estimated acreage)	Expected full delivery
Grantee	222	(b)(7)	M = 1	June 09, 2018
Homestead Contractor	350		八	June 20, 2018
Influx site #1	1,000			June 20, 2018 for first 1,000 beds
Influx site #1	3,000			June 25, 2018
Grantee	775			June 30, 2018
Grantee	326			July 6, 2018

	Off	r		June 8, 2018 @ 1
Grantee	216	(b)(7))(E)	July 11, 2018
Grantee	240			July 20, 2018
Grantee	300			August 1, 2018
Homestead Contractor	600			30 Days after Award (Estimated availability of beds August 1, 2018)
Phase I Total	10,029			

Office of Refugee Resettlement: Bed Capacity Development Plan

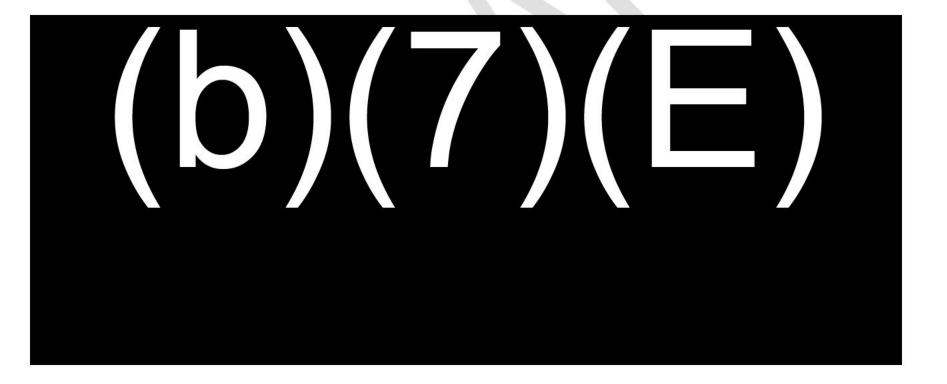
Source	Total Beds	Status/Challenges	Potential Site (based on estimated acreage)	Timeframe
Influx site #2	5,000	(b)(7		15-30 Days after award (estimated earliest delivered date 7/22/2018)
Influx site #3	5,000	(b)(7)(C)	15-30 Days after award (estimated earliest delivered date 7/22/2018)
Phase II Total	10,000			

Office of Refugee Resettlement: Bed Capacity Development Plan

Source	Total Beds	Status/Challenges	Potential Site (based on estimated acreage)	Timeframe
Influx site #4	5,000	(b)(7	(E)	15-30 days after award
Influx site #5	5,000			15-30 days after award
Influx site #6	5,000			15-30 days after award

Influx site #7	5,000	(b)(7)(E)	15-30 days after award
Phase III Total	20,000			
Grand Total	37,039			

Office



From: MCALEENAN, KEVIN K To: Grady, Claire Subject: FW: UACs at 72hrs

Date: Tuesday, June 19, 2018 4:44:59 PM

From: MCALEENAN, KEVIN K

Sent: Tuesday, June 19, 2018 4:44:45 PM **To:** (b) (6); (b) (7)(C)

Subject: RE: UACs at 72hrs



From: (b) (6); (b) (7)(C)

Sent: Tuesday, June 19, 2018 12:49:48 PM

To: MCALEENAN, KEVIN K Subject: Re: UACs at 72hrs

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On: 19 June 2018 08:19,

"MCALEENAN, KEVIN K"

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From: (b) (6); (b) (7)(C)

Sent: Tuesday, June 19, 2018 8:16 AM

To: MCALEENAN, KEVIN K <

(b) (6); (b) (7)(C)

(b) (6); (b) (7)(C)

Cc: FLANAGAN, PATRICK S ; BOYD, VALERIE S

(b) (6); (b) (7)(C)

Subject: RE: UACs at 72hrs

Sir,

BLUF- They are still out of space.

(b)(7)(E)

(b)(7)(E)

Our liaison POCs from HHS have been very helpful in providing us with information, however they are not in a position to drive or expedite new beds being brought on in a faster manner.

Thank you,

(b) (6); (b) (7)(C)

From: MCALEENAN, KEVIN K

Sent: Tuesday, June 19, 2018 7:33 AM

To: (b) (6); (b) (7)(C)

(b) (6); (b) (7)(C)

(b) (6); (b) (7)(C) ICKS (b) (6); (b) (7)(C) Cc: FLANAGAN, PATRICK S ; BOYD, VALERIE S

(b) (6); (b) (7)(C)

Subject: UACs at 72hrs

Team,

KM